IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9608 of 2005

Between:

M.V.Ramana, s/o M.Chandraiah, Yemmiganur,

Kurnool District.

... PETITIONER

AND

1 The Joint Collector, Kurnool.
2 The Revenue Divisional officer, Adoni, Kurnool District.
3 The Mandal Revenue Officer, Yemmiganur, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of certiorary call for the records pertaining to the order passed by the 2nd respondent herein in his proceeding No.Rc.M.107/2005, dt.25-03-2005 and quash the same is highly illegal, arbitrary and violative of Art.14, 19(1)(g) and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as Fair Price Shop Dealer and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner:MR.B.PURSHOTHAM REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

O R D E R:

The petitioner claims that he was appointed as Fair Price Shop Dealer for 5th Ward of Yemmiganur town. He contends that the 2nd respondent, through his proceedings dated 25.03.2005, suspended his authorization on the ground that he did not distribute the rice to the card holders and that the left over stock was diverted to black market. Aggrieved by the said proceedings, he preferred an appeal before the 1st respondent. Contending that no orders have been passed so far, either in the appeal or in the application for stay, the petitioner filed this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

In view of the facts and circumstances of the case, and also in view of the fact that the appeal filed by the petitioner against the order of suspension is pending consideration before the 1st respondent, without expressing any opinion on the merits of the case, I deem it appropriate to direct the 1st respondent, Joint Collector, to dispose of the appeal within a period of six weeks from the date of receipt of a copy of this order. However, in the facts and circumstances of the case, the respondents are directed to allow the petitioner to run the business till the disposal of the appeal by the 1st respondent.

With the above directions, the writ petition is disposed of at the stage of admission. No order as to costs.

27th April 2005

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To

1 The Joint Collector, Kurnool.
2 The Revenue Divisional officer, Adoni, Kurnool District.
3 The Mandal Revenue officer, Yemmiganur, Kurnool District.

4 Two C.Cs. to the Govt.Pleader for Civil Supplies,

High Court buildings, Hyderabad (OUT).

5 Two C.D.copies.